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Paper No. 44
Entered: February 27, 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

TORLEIF OVE BJORNSON, RANDY M. McCORMICK,
and DAVID S. SOANE

Junior Party
(Patent No. 6,103,199)¹

v.

JOHN WALLACE PARCE, ANN R. KOPF-SILL,
and LUC J. BOUSSE

Senior Party
(Application 09/721,508)²

Patent Interference No. 105,444
(Technology Center 1600)

Before LEE, LANE and MOORE, Administrative Patent Judges.

LEE, Administrative Patent Judge.

Judgment -- Request for Adverse -- Bd. R. 127(b)

¹ Based on Application 09/153,566, filed September 15, 1998. The real party in interest is Monogram Biosciences, Inc.

² Filed November 22, 2000. Accorded the benefit of Application 09/346,660, filed July 1, 1999, and Application 08/671,987, filed June 28, 1996. The real party in interest is Caliper Technologies Corporation.

1 On February 22, 2007, junior party Bjornson conceded priority and requested entry of
2 adverse judgment with respect to the subject matter of Count 1 (Paper No. 43). No motion is
3 pending in this case.

4 The request for entry of adverse judgment is granted.

5 It is

6 **ORDERED** that judgment on priority as to the subject matter of Count 1 is herein
7 entered against junior party TORLEIF OVE BJORNSON, RANDY M. McCORMICK and
8 DAVID S. SOANE;

9 **FURTHER ORDERED** that junior party TORLEIF OVE BJORNSON, RANDY M.
10 McCORMICK and DAVID S. SOANE is not entitled to claims 1-17 of its involved Patent No.
11 6,103,199;

12 **FURTHER ORDERED** that if there is a settlement agreement, the parties should note
13 the requirements of 35 U.S.C. § 135(c) and Bd. Rule 205; and

14 **FURTHER ORDERED** that a copy of this judgment be placed in the respective
15 involved application or patent of the parties.

Interference No. 105,444
Bjornson v. Parce

/ss/ Jameson Lee
JAMESON LEE
Administrative Patent Judge

/ss/ Sally Gardner Lane
SALLY GARDNER LANE
Administrative Patent Judge

/ss/ James T. Moore
JAMES T. MOORE
Administrative Patent Judge

Interference No. 105,444
Bjornson v. Parce

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